



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
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MAR 14 2002

Paper No. 83

In re Application of
Philippe J. H. Berna
Application No. 08/580,493
Filed: December 29, 1995
For: Process For Making A Versatile
Clamping Device Designed to
Hold Objects Without Damaging
Them, Such A Device And Its Use

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: DECISION ON PETITION
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The paper filed on January 7, 2002 is being construed as a petition under 37 CFR 1.181 and MPEP § 710.06 to reset the shortened statutory period originally set in paper No. 76 as one month from the mailing date of that paper. There is no fee required for the petition.

The petition is granted.

It appears from the record and from the petition that petitioner received paper No. 76, a Notice of Non-Compliance mailed on November 30, 2001, on January 3, 2002. It appears that this delay occurred even though paper No. 76 was mailed via air mail. It also appears from the record that petitioner has filed a reply to paper No. 76, together with a request for a one month extension of time and the fee therefor.

In view of the fact that paper No. 76 was delivered after the period for response thereto had expired, the period for reply to paper No. 76 is reset, *nunc pro tunc*, to expire ONE MONTH from January 3, 2002, the date that petitioner received the paper. Accordingly, the extension of time and extension fee are unnecessary, and a refund of the \$55.00, extension fee will be scheduled in due course. The reply filed on January 28, 2002 will be entered into the record. The application will then be returned to the Office of Petitions in view the paper styled "Complaint Confirmation" received on February 25, 2002.

PETITION GRANTED.


E. Rollins-Cross, Director, Patent
Examining Groups 3710 and 3720

Refund Ref: 0030007240
03/15/2002

Credit Card Refund Total: \$55.00

VISA....: XXXXXXXXXXXX6266

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VIA AIR MAIL